

GROVE CITY, OHIO COUNCIL LEGISLATIVE AGENDA

September 4, 2018

6:30 - Caucus

7:00 - Reg. Meet.

Presentations:

LANDS: Mr. Schottke

Resolution CR-44-18 Municipal Services that can be furnished to 209.5+ acres located West of Jackson Pike and North of State Route 665 in Jackson Township upon its Annexation to the City.

SAFETY

Resolution CR-45-18 Accept a Donation from the Grove City Community Club to Support the K-9 Program and Thank them for their Generous Donation and Service in the City.

FINANCE: Mr. Davis

Ordinance C-47-18 Authorize the City Administrator to enter into a Cooperative Agreement with Franklin County and Jackson Township for Borror Road Reconstruction and Appropriate \$165,000.00 from the Rockford Tax Increment Equivalent Fund for same. Second reading and public hearing.

Ordinance C-48-18 Grant an Exceptional Circumstance for 4326 Broadway to Increase the Maximum Award under the Town Center Commercial Revitalization Grant Program. First reading.

Ordinance C-49-18 Grant an Exceptional Circumstance for 3940 Broadway to Increase the Maximum Award under the Town Center Commercial Revitalization Grant Program. First reading.

Resolution CR-46-18 Authorizing the City Administrator to Seek Financial Assistance from the State Capital Improvement Program/Local Transportation Improvement Program for funding of the Southwest Boulevard Improvement Project.

Executive Session - update of pending litigation

ON FILE: Minutes of: 8/20 Council Meeting

Date: 08/28/18
Introduced By: Mr. Schottke
Committee: Lands
Originated By: City Clerk
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-44-18
1st Reading: 09/04/2018
Public Notice: _____
2nd Reading: _____
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION NO. CR-44-18

A RESOLUTION TO SET FORTH, AS REQUIRED BY SECTION 709.031 OF THE OHIO REVISED CODE THE MUNICIPAL SERVICES THAT CAN BE FURNISHED TO 209.5+ ACRE LOCATED WEST OF S.R. 104 AND NORTH OF S.R.665 IN JACKSON TOWNSHIP UPON ITS ANNEXATION TO THE CITY OF GROVE CITY

WHEREAS, a petition to annex 209.5+ acres located West of State Route 104 and North of State Route 665, in Jackson Township to the City of Grove City and signed by John Hancock, was filed with the Board of County Commissioners of Franklin County, Ohio; and

WHEREAS, a hearing on this petition is scheduled before the Board of County Commissioners of Franklin County; and

WHEREAS, Section 709.031 of the Ohio Revised Code requires that the legislative authority of the municipality to which the annexation is proposed adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon its annexation.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. Upon its annexation to the City of Grove City, the 209.5+ acres located West of S.R.104 and North of S.R.665, proposed for annexation by John Hancock, will receive the following municipal services from the City of Grove City:

Fire:	Jackson Township will continue to provide Fire protection.
Police:	The City of Grove City, Police department, will provide police protection.
Water:	The City of Grove City has a water service area contract with the City of Columbus, and the subject property is within the service area. Conditional on the ability of the City of Columbus to provide water, the City of Grove City will have the ability to service this area. It is understood that all water line extensions are the responsibility of the property owner, and upon the receipt of all necessary permits and payments of all costs for connections thereto, such service shall become immediately available.
Roadway:	To the extent that Jackson Pike (State Route 104) is divided or segmented by the boundary line between Jackson Township and the City of Grove City as to create a maintenance problem, the City of Grove City agrees that, following the annexation, it shall assume the maintenance of the such portion of Jackson Pike or otherwise correct the problem.
Sanitary Sewer:	The City has a written service area contract with the City of Columbus and the subject property is within the service area. Conditioned on the ability of the City of Columbus to provide sufficient sewage disposal capacity, the City of Grove City will have the ability to service the area. It is understood that all extensions of the sanitary sewer service is the responsibility of the property owner, and upon the receipt of all necessary permits and payments of all costs for connections thereto, such service shall become immediately available.
Solid Waste Collection:	Subject property is now serviced by and will continue to be serviced by a publicly bid contract for solid waste and recycling services.
Zoning:	In accordance with Section 1139.05(a) the Codified Ordinances of Grove City, Ohio, all annexed territory zoned under County or Township zoning shall be classified at the most comparable district of the Grove City Zoning Code, unless otherwise requested by the petitioner and approved by the City Council at which time a buffer will be required if the requested zoning classification is clearly incompatible with uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory is to be annexed.

Date: 8/28/18
Introduced By: Ms. Houk
Committee: Safety
Originated By: Mayor Stage
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-45-18
1st Reading: 09/04/18
Public Notice: 0 / /18
2nd Reading: 0 / /18
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION CR-45-18

A RESOLUTION TO ACCEPT A DONATION FROM THE GROVE CITY COMMUNITY CLUB AND TO THANK THEM FOR THEIR GENEROUS DONATION AND SERVICE IN THE CITY

WHEREAS, the Grove City Community Club was established in 1917 and is one of the oldest continually operating civic clubs in the City; and

WHEREAS, through events and donations, the Grove City Community Club raises money for numerous organizations in the City; and

WHEREAS, the Grove City Community Club wishes to make a donation to the City to help support the Grove City Police Division K-9 program.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby accepts the donation of \$2,000.00 as gifted by the Grove City Community Club to support the Grove City Police Division K-9 program.

SECTION 2. Sincere thanks are hereby expressed to the Grove City Community Club not only for this generous donation but for all the work and support they have provided and continue to provide our community.

SECTION 3. The resolution shall take effect at the earliest opportunity afforded by law.

Steven R. Robinette, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
resolution is correct as to form.

Stephen J. Smith, Director of Law

Date: 08/15/18
Introduced By: Mr. Davis
Committee: Finance
Originated By: Mr. Turner
Sponsor: Ms. Houk
Emergency: 30 Days:
Current Expense: XX

No.: C-47-18
1st Reading: 08/20/18
Public Notice: 8/21/18
2nd Reading: 09/04/18
Passed: Rejected:
Codified: Code No:
Passage Publication:

ORDINANCE C-47-18

AN ORDINANCE TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH FRANKLIN COUNTY AND JACKSON TOWNSHIP FOR BORROR ROAD RECONSTRUCTION AND TO APPROPRIATE \$165,000.00 FROM THE ROCKFORD TAX INCREMENT EQUIVALENT FUND FOR SAME

WHEREAS, Borrer Road is an important roadway on the township, county and municipal highway system for through traffic and the public interest demands its rehabilitation; and

WHEREAS, a Cooperative Agreement between the City, Franklin County and Jackson Township is necessary to provide for the efficient and coordinated development of the improvements; and

WHEREAS, the City will provide engineering services as part of its responsibilities under the agreement.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The City Administrator is hereby authorized to enter into a cooperative agreement with Franklin County and Jackson Township for Borrer Road reconstruction as attached hereto as Exhibit A.

SECTION 2. There is hereby appropriated \$165,000.00 from the unappropriated monies of the Rockford Tax Increment Equivalent Fund to account number 136000.541000 for the current expense of engineering services.

SECTION 3. This ordinance appropriates for current expenses and shall therefore go into immediate effect.

Steven Robinette, President of Council

Passed:
Effective:

Richard L. Stage, Mayor

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance is correct as to form.

Stephen J. Smith, Director of Law

C-47-18
EXHIBIT "A"
**COOPERATIVE AGREEMENT
BETWEEN
FRANKLIN COUNTY, JACKSON TOWNSHIP
AND
THE CITY OF GROVE CITY**

WHEREAS, the project known hereafter as BORROR ROAD PROJECT has utility to the general public of Franklin County, Jackson Township, as well as to the citizens of the City of Grove City; is an important roadway on the township, county and municipal highway system for through traffic; and the public interest demands its rehabilitation; and

WHEREAS, Franklin County through the County Engineer, Jackson Township through its Acting Township Administrator, and the City of Grove City through its Administrator, do hereby mutually agree to cooperate in the planning, design and construction of the project; and

WHEREAS, it has been determined that the general scope of the project will include the roadway corridor improvements of Borror Road to accommodate current and future traffic demands (vehicular and pedestrian) between Quail Creek Boulevard (west) to State Route 104 (east) which include roadway widening/reconstruction, trail/sidewalk, drainage, culvert/bridge replacement(s), waterline, intersection/traffic control improvements, lighting, along with the ancillary work required for the improvement as defined in the Round 32 Ohio Public Works Commission Application; and

NOW, THEREFORE, the Parties agree to the following responsibilities:

A. FRANKLIN COUNTY will:

1. Declare the improvement necessary.
2. Support the acquisition with Franklin County Engineer's Office resources for the necessary right-of-way, easements and work agreements for the improvements. This will involve review of plans and legal exhibits, coordination of appraisals, support the preparation of documents, negotiations with property owners, and other ancillary support as needed to secure land acquisition for the project. The cost to purchase land will be paid by the Jackson Township utilizing OPWC funding sources.
3. Provide financial support for the improvement not to exceed local match contribution of \$465,000 toward the total project cost for the replacement and widening of the Borror Road 3.84 over Patzer Ditch structure and ancillary project costs (land acquisition support) as agreed upon by the parties of this agreement.
4. Agrees to pay its agreed upon portion of the project costs as invoices are due, at the end of the project, or as otherwise agreed upon by the various parties of this agreement.
5. Review and approve the right-of-way and construction plans for the project.
6. Coordinate with the Township and City with respect to the roadway annexation (into the City of Grove City jurisdiction) in conjunction with the completion of the project.
7. Authorize Jackson Township to serve as the lead applicant on the project and to sign all necessary documents.

B. JACKSON TOWNSHIP will:

1. Declare the improvements necessary.
2. Provide financial support for the improvement not to exceed local match contribution of \$495,717 toward the total project cost.
3. Review and approve the right-of-way and construction plans for the project.

4. Support the acquisition of the necessary right-of-way, easements and work agreements for the improvement and utilization of OPWC funds to purchase of such acquisitions.
5. Serve as lead applicant and sign all necessary documents. Submit and enter into an agreement with the OPWC regarding the funding of the said improvements under the Round 32. Funding will consist of \$936,478 in grant and up to \$2,824,478 in loan (Grove City - 82.45% and Township - 17.55%).
6. Oversee and provide bid procurement including bid documents, receive bids, and award a construction contract for the Project.
7. Coordinate with the County and City with respect to the roadway annexation into the City of Grove City in conjunction with the completion of the project.
8. Except as set forth in this Section B, Jackson Township shall not be obligated to contribute any additional funds or resources to the project, including toward any costs that shall exceed estimated or budgeted costs to complete the project.

C. The CITY OF GROVE CITY will:

1. Declare the improvements necessary.
2. Coordinate with Franklin County and Jackson Township for the project.
3. Authorize Jackson Township to serve as the lead applicant on the project and to sign all necessary documents.
4. Provide professional services through the City's consulting engineering firm to provide land acquisition descriptions/exhibits and detailed construction plans for the project; and identify this service as financial support towards the improvement.
5. Provide interim and final right-of-way and construction plans to Franklin County and Jackson Township for review and approval.
6. Coordinate with Franklin County and Jackson Township on utility related issues and relocations for the project and lead coordination effort with utilities.
7. Provide financial support for the improvement not to exceed \$4,251,261 which includes the following source and consider this funding a portion of the local match toward the total project cost. This includes:
 - a. \$995,000 directly from the City.
 - b. \$2,328,761 in OPWC loan (or 82.45% of loan amount).
 - c. \$927,500 in funding from private development partners for project:
 - i. Rockford Homes - \$120,000 (currently deposited with City).
 - ii. Beazer Homes - \$17,500 (currently deposited with City).
 - iii. Harmony Homes - \$285,000 to be finalized in conjunction with OPWC funding agreement.
 - iv. Rockford Homes - \$505,000 to be finalized in conjunction with OPWC funding agreement.
8. Will pay its agreed upon portion of the project costs as invoices are due, at the end of the project, or as otherwise agreed upon by the various parties of this agreement.

9. Provide all necessary documentation for right-of-way easements and work agreements necessary for the Improvements and coordinate with County and Township on acquisition efforts.
10. Prepare annexation applications and supporting information to facilitate annexation of public right-of-way along project corridor upon substantial completion. Thereby accepting the operation and maintenance of the project within Grove City Jurisdiction.
11. Coordinate construction phase administration and inspection services for the project.

FRANKLIN COUNTY ENGINEER'S OFFICE

W. F. Egle
Attest

CHIEF DEPUTY OF ENGINEERING
Title

Cornell R. Robertson
Cornell R. Robertson, P.E., P.S.

JACKSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Witness: Ron J. Jansman
Date: July 24, 2018

By: Lynn Bruno
Lynn Bruno
Acting Township Administrator

CITY OF GROVE CITY, OHIO

Witness: _____
Date: _____

By: _____
Charles Boso Jr.
City Administrator

Date: _____

Director of Law
I certify that this agreement is correct as to form

Date: 08/28/18
Introduced By: Mr. Davis
Committee: Finance
Originated By: Mr. Rauch
Approved: Mr. Boso
Emergency: 30 Days: X
Current Expense: _____

No.: C-48-18
1st Reading: 09/04/18
Public Notice: 09/05/18
2nd Reading: 09/17/18
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-48-18

AN ORDINANCE TO GRANT AN EXCEPTIONAL CIRCUMSTANCE FOR 4326 BROADWAY TO INCREASE THE MAXIMUM AWARD UNDER THE TOWN CENTER COMMERCIAL REVITALIZATION GRANT PROGRAM

WHEREAS, on May 21, 2018, Council approved Ord. C-31-18, replacing Exhibit A of the Town Center Commercial Revitalization Grant Program; and

WHEREAS, the requirements for the Program provides, in part, that an exceptional circumstance may be granted by City Council to address the "percentage of matching funds" and to increase the maximum award amount for a specific Project"; and

WHEREAS, an exceptional circumstance under the Program may be established where the project merits "special consideration"; and

WHEREAS, "special consideration" may be found when a minimum of three of the following criteria are satisfied: (1) proposed improvement will substantially enhance the vitality and appearance of Town Center and Broadway Corridor; (2) proposed improvement will result in creation of jobs; (3) proposed improvement will result in the leveraging of additional economic investment and/or activity; (4) proposed improvement will result in the utilization of sustainable building and site design concepts; (5) proposed improvement will result in the attainment of a needed service or goal as set forth in the Town Center Plan, (6) proposed improvement will result in the attainment of a needed service or goal as set forth in the GroveCity2050 Community Plan; (7) proposed improvement will result in the maintenance and enhancement of exterior structures and their interior facilities; and (8) proposed improvement will result in the update of building and facilities to meet current code requirements to better serve and protect the health, life and safety of their occupants; (9) proposed improvement will result in substantially improved accessibility and compliance with current ADA standards; and

WHEREAS, a current business owner in the Broadway Corridor wishes to undertake and complete renovation and modernization of the property located at 4236 Broadway, currently known as Bill's on Broadway; and

WHEREAS, upon the completion of this project, it will result in the maintenance and enhancement of exterior structures as well as an update of the building to protect the health, life and safety of their occupants; and

WHEREAS, the current business owner of the property located at 4326 Broadway has made application and is seeking a finding of an exceptional circumstance to obtain a grant in excess of maximum award.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council finds that special considerations have been satisfied and hereby grants an exceptional circumstance to the current business owner at 4326 Broadway, making it eligible

for an award of up to \$5,000 in excess of the maximum currently permitted under the Town Center Commercial Revitalization Grant Program (\$5,000.00), to be used toward program eligible projects under the Town Center Commercial Revitalization Grant Program.

SECTION 2. This ordinance shall go into effect at the earliest opportunity provided by law.

Steven R. Robinette, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
ordinance is correct as to form.

Stephen J. Smith, Director of Law

Date: 08/28/18
Introduced By: Mr. Davis
Committee: Finance
Originated By: Mr. Rauch
Approved: Mr. Boso
Emergency: 30 Days: X
Current Expense: _____

No.: C-49-18
1st Reading: 09/04/18
Public Notice: 09/05/18
2nd Reading: 09/17/18
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-49-18

AN ORDINANCE TO GRANT AN EXCEPTIONAL CIRCUMSTANCE FOR 3940 BROADWAY TO INCREASE THE MAXIMUM AWARD UNDER THE TOWN CENTER COMMERCIAL REVITALIZATION GRANT PROGRAM

WHEREAS, on May 21, 2018, Council approved Ord. C-31-18, replacing Exhibit A of the Town Center Commercial Revitalization Grant Program; and

WHEREAS, the requirements for the Program provides, in part, that an exceptional circumstance may be granted by City Council to address the "percentage of matching funds" and to increase the maximum award amount for a specific Project"; and

WHEREAS, an exceptional circumstance under the Program may be established where the project merits "special consideration"; and

WHEREAS, "special consideration" may be found when a minimum of three of the following criteria are satisfied: (1) proposed improvement will substantially enhance the vitality and appearance of Town Center and Broadway Corridor; (2) proposed improvement will result in creation of jobs; (3) proposed improvement will result in the leveraging of additional economic investment and/or activity; (4) proposed improvement will result in the utilization of sustainable building and site design concepts; (5) proposed improvement will result in the attainment of a needed service or goal as set forth in the Town Center Plan, (6) proposed improvement will result in the attainment of a needed service or goal as set forth in the GroveCity2050 Community Plan; (7) proposed improvement will result in the maintenance and enhancement of exterior structures and their interior facilities; and (8) proposed improvement will result in the update of building and facilities to meet current code requirements to better serve and protect the health, life and safety of their occupants; (9) proposed improvement will result in substantially improved accessibility and compliance with current ADA standards; and

WHEREAS, a current business owner in the Town Center wishes to undertake and complete renovation and modernization of the property located at 3940 Broadway, currently known as Zassy's Tap Room; and

WHEREAS, upon the completion of this project, it will result in the creation of additional jobs and establishment of a new destination for the Town Center; and

WHEREAS, the current business owner of the property located at 3940 Broadway has made application and is seeking a finding of an exceptional circumstance to obtain a grant in excess of maximum award.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council finds that special considerations have been satisfied and hereby grants an exceptional circumstance to the current business owner at 3940 Broadway, making it eligible for an award of \$30,000.00 payable in two installments of \$5,000 and \$25,000, respectively, in excess of the maximum currently permitted under the Town Center Commercial Revitalization Grant Program (\$10,000.00), to be used toward program eligible projects under the Town Center Commercial Revitalization Grant Program. No grants will be approved for this property for 2019 and 2020.

SECTION 2. This ordinance shall go into effect at the earliest opportunity provided by law.

Steven R. Robinette, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
ordinance is correct as to form.

Stephen J. Smith, Director of Law

Date: 8/28/18
Introduced By: Mr. Davis
Committee: Finance
Originated By: Mayor Stage
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-46-18
1st Reading: 09/04/18
Public Notice: 0 / /18
2nd Reading: 0 / /18
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION CR-46-18

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SEEK FINANCIAL ASSISTANCE FROM THE STATE CAPITAL IMPROVEMENT PROGRAM/LOCAL TRANSPORTATION IMPROVEMENT PROGRAM FOR FUNDING OF THE SOUTHWEST BOULEVARD IMPROVEMENT PROJECT

WHEREAS, pursuant to Article VIII, Section 2K of the Ohio Constitution, the state of Ohio is authorized to issue bonds and other obligations of the state for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

WHEREAS, pursuant to Section 164.06 of the Ohio Revised Code, the District Three Public Works Integrating Committee has been created to accept, evaluate and recommend applications for state financing of capital infrastructure improvement projects of political subdivisions in Franklin County; and

WHEREAS, pursuant to Section 164.05 of the Ohio Revised Code, the Ohio Public Works Commission has been created to accept and approve applications for state financing of capital infrastructure improvement projects of political subdivisions in Franklin County; and

WHEREAS, the City of Grove City has conducted a capital inventory and needs assessment and has determined that it is necessary to submit applications for financial assistance for capital infrastructure improvement projects; and

WHEREAS, this project will: evaluate improved traffic circulation at the Southwest Boulevard and Richard Avenue intersection; fully reconstruct pavement and replace curb and gutter from Richard Avenue to Hoover Road; and improve ADA curb ramps for improved pedestrian movements through the corridor.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The City Administrator is hereby authorized to apply to the District Three Public Works Integrating Committee and the Ohio Public Works Commission for financial assistance for the following capital infrastructure improvement project:

Southwest Boulevard Improvement Project (Richard Avenue to Hoover Road)

SECTION 2. The City Administrator is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance in conjunction with the recommendations of the City's Consulting Engineer, and approved as to form by the City Law Director, in accordance with the fiscal requirements of the Director of Finance.

SECTION 3. The resolution shall take effect at the earliest opportunity allowed by law.